

**FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 14, 2005**

House of Representatives

The House convened at 8 a.m., Mr. Denney in the Chair.

Roll call showed 56 members present.

Absent and excused -- Bedke, Clark, Crow, Edmunson, Jaquet, Jones, Lake, Loertscher, McKague, Sali, Schaefer, Smith(24), Trail, Mr. Speaker. Total -- 14.

Total -- 70.

Prayer was offered by Representative Barrett.

The Pledge of Allegiance was led by Lacey Vander Boegh, Page.

Approval of Journal

January 14, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

January 13, 2005

Mr. Speaker:

I return herewith enrolled **HCR 1** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 1** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 2
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING CHAPTER 13, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1351A, IDAHO CODE, TO PROVIDE FOR CONFORMITY TO FEDERAL REQUIREMENTS GOVERNING TRANSFERS OF EXPERIENCE AND ASSIGNMENT OF RATES, TO

PROVIDE CIVIL PENALTIES FOR SPECIFIED VIOLATIONS, TO PROVIDE A FELONY PENALTY FOR SPECIFIED VIOLATIONS, TO PROVIDE DEFINITIONS, TO PROVIDE THAT THE DIRECTOR SHALL ESTABLISH PROCEDURES TO IDENTIFY THE TRANSFER OR ACQUISITION OF A BUSINESS AND TO PROVIDE FOR INTERPRETATION AND APPLICATION OF THE LAW IN ACCORDANCE WITH FEDERAL GUIDELINES AND REGULATIONS.

**HOUSE BILL NO. 3
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO ADVISORY COUNCILS TO THE DEPARTMENT OF COMMERCE AND LABOR; AMENDING SECTION 67-4704, IDAHO CODE, TO RENAME THE ADVISORY COUNCIL, TO INCREASE MEMBERSHIP OF THE COUNCIL FROM SIX TO SEVEN PERSONS, TO PROVIDE THREE-YEAR TERMS FOR ALL MEMBERS AND TO PROVIDE THAT ONE MEMBER SHALL SERVE IN A STATEWIDE CAPACITY; AMENDING SECTION 67-4711, IDAHO CODE, TO DEFINE "ACT," TO PROVIDE CODE REFERENCES AND CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4712, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE TO MEMBERSHIP OF THE COUNCIL, TO DELETE OBSOLETE LANGUAGE AND TO PROVIDE PROPER TERMINOLOGY; AMENDING SECTION 67-4715, IDAHO CODE, TO PROVIDE PROPER TERMINOLOGY; AND AMENDING SECTION 72-1336, IDAHO CODE, TO PROVIDE THAT A WORKFORCE DEVELOPMENT COUNCIL SHALL SERVE AS AN ADVISORY BODY TO THE DEPARTMENT AND TO PRESCRIBE THE DUTIES AND FUNCTIONS OF THE COUNCIL.

**HOUSE BILL NO. 4
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 23-950, IDAHO CODE, TO RESTRICT THE TRANSFER OF A LIQUOR LICENSE AND TO PROVIDE FOR SEIZURE FOR AMOUNTS DUE; AMENDING SECTION 72-1316A, IDAHO CODE, TO EXEMPT CASUAL EMPLOYMENT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-1319B, IDAHO CODE, TO REVISE THE DEFINITION OF TAXABLE WAGE RATE; AMENDING SECTION 72-1337, IDAHO CODE, TO REQUIRE COVERED EMPLOYERS TO SUBMIT A BUSINESS REGISTRATION FORM; AMENDING SECTION 72-1347A, IDAHO CODE, TO PROVIDE AN EXCEPTION TO IMPOSITION OF THE RESERVE TAX, TO REVISE REQUIREMENTS FOR THE SPECIAL ADMINISTRATION FUND AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 72-1347B, IDAHO CODE, TO PROVIDE FOR DISBURSEMENT OF ANY UNENCUMBERED BALANCE IN THE WORKFORCE

DEVELOPMENT TRAINING FUND EXCEEDING SIX MILLION DOLLARS; AMENDING SECTION 72-1349, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 72-1350, IDAHO CODE, TO REVISE THE METHOD FOR DETERMINING TAXABLE WAGE RATES AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 72-1351, IDAHO CODE, TO PROVIDE FOR FINALITY OF DETERMINATIONS OF CHARGEABILITY, TO PROVIDE LIABILITY FOR AMOUNTS DUE FROM TRANSFERRED EXPERIENCE RATING ACCOUNTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-1354, IDAHO CODE, TO REVISE THE PENALTY ON UNPAID AMOUNTS; AMENDING SECTION 72-1359, IDAHO CODE, TO PROVIDE FOR THE COLLECTION OF JEOPARDY ASSESSMENT AMOUNTS DUE; AMENDING SECTION 72-1360, IDAHO CODE, TO REVISE THE RATE OF INTEREST ON LIENS; AMENDING SECTION 72-1366, IDAHO CODE, TO REVISE THE PERSONAL ELIGIBILITY CONDITIONS FOR BENEFITS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 72-1367, IDAHO CODE, TO REVISE THE METHOD FOR DETERMINING THE MAXIMUM WEEKLY BENEFIT AMOUNT, TO REVISE THE NUMBER OF WEEKS OF BENEFIT ENTITLEMENT AND TO PROVIDE THAT SEVERANCE PAY IS DEDUCTIBLE INCOME; AMENDING SECTION 72-1369, IDAHO CODE, TO PROVIDE CIVIL PENALTIES ON OVERPAYMENTS RESULTING FROM FALSE STATEMENTS, MISREPRESENTATION OR FAILURE TO REPORT A MATERIAL FACT, TO REVISE THE METHODS OF COLLECTION AND TO REVISE THE CRITERIA FOR WAIVER OF OVERPAYMENTS; AMENDING CHAPTER 13, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1372, IDAHO CODE, TO PROVIDE CIVIL PENALTIES FOR EMPLOYERS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION FOR SECTIONS 3, 7, 8 AND 9 OF THIS ACT; AND PROVIDING AN EFFECTIVE DATE FOR SECTIONS 1, 2, 4, 5, 6, 10, 11, 12, 13, 14, 15 AND 16 OF THIS ACT.

PAMM JUKER, Chief Clerk

H 2, H 3, and H 4 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:45 a.m., Monday, January 17, 2005. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:18 a.m.

LAWERENCE DENNEY, Acting Speaker

ATTEST: